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09/662,499	09/14/2000	Rachel K. E. Bellamy	YOR9-2000-0332US1	2266

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EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2151

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/662,499

Applicant(s)

BELLAMY ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Amendment filed on 6/14/2004. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-10, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gudjonsson et al. (hereafter Gudjonsson), US pat. No.6,564,261.

As to claim 1, Gudjonsson discloses a method for representing a user within an online environment comprising the steps of:

defining a plurality of environmental parameters (using cluster 1 of fig.1 to define an address space and service access to its functionality through some well known protocol) for controlling user interaction and defining a plurality of user representation

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parameters (user's data and services) of user data (external user 7 fig.1 's data or services) within the environment (virtual private network) (see abstract, figs.1, 2, col.7 line 35 to col.8 line 65).

capturing user data from the user, displaying an abstract graphical display of the environment to the user and displaying a user representation within the abstract graphical display incorporating the user data to the user (mapping and displaying a local user to a user server, see fig.11, col.9 lines 8-67, col.15 line 13 to col.16 line 67 and col.17 lines 1-47).

As to claims 2 and 3, Gudjonsson discloses determining an environmental structure and governing user interaction within the environment according to the user parameters (user's data and services), displaying an abstract graphical cue of a first parameter of the user (user A of fig.3) in the an abstract graphical of the environment, wherein the abstract graphical cue moves through the an abstract graphical of environment according to a second parameter of the user (user B fig.3) to provide a second abstract graphical cue and the environmental structure which includes a queue of users, a chat room, a conference room, a news group, an online help desk, and a business interface (see abstract, figs. 3-5, col.9 line 8 to col.10 line 56).

As to claims 4 and 5, Gudjonsson discloses defining the user representation based on a user profile and the user data is captured from a user's device registered with a social

proxy providing service (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54 and col.16 lines 7-47).

As to claims 6 and 7, Gudjonsson discloses that the user data is captured from a user's activity within the online environment wherein the user data is abstracted to provide the user representation and updated periodically (keeping the contact list updated in the database, see fig.22, col.27 line 36 to col.28 line 64).

As to claims 8 and 9, Gudjonsson discloses that the user navigates the abstract graphical display by selecting an object to reveal information about the object and the object is an element represented in the abstract graphical display comprising associated data (see figs.16 and 18, col.26 line 30 to col.27 line 27 and col.28 lines 9-63).

As to claim 10, Gudjonsson discloses the information is one of a hierarchical relationship, content of a compound data object, a zoomed view, and user information (user data) (see col.11 line 20 to col.12 line 54).

As to claim 19, Gudjonsson discloses a computer-based medium having stored programs readable by a computer for causing the computer to execute method steps for facilitating the presentation of an environment in graphical form comprising a processor for receiving information from a plurality of users (users 7 of fig.1 define an address space and access to its functionality through some well known protocol) (see abstract,

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figs.1, 2, 3, col.7 line 35 to col.8 line 65) and presenting said information in a graphical form to the plurality of users, wherein the plurality of users communicate user data to the processor for incorporation in the graphical environment as user proxies (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54 and col.15 line 13 to col.16 line 67) comprising an abstract graphical cue (external user 7 fig.1 's of cluster 1 of virtual private network) of a first parameter of the user data, wherein the abstract graphical cue moves through the graphical environment according to a second parameter of the user ((connecting to another user 7 of other cluster 1 of fig.1) data to provide a second abstract graphical cue (see abstract, figs.1, 2, col.9 lines 8-61 and col.10 lines 7-46).

As to claim 20, Gudjonsson discloses that the environment can be one of a physical environment, a virtual environment, and a combined physical and virtual environment (see col.1 line 60 to col.2 line 29 and col.7 line 35 to col.8 line 65).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

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various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson in view of Scott et al. (hereafter Scott), U.S. pat. No.5,638,504.

As to claim 11, Gudjonsson discloses a method for representing a social proxy comprising steps of: displaying the social proxy for a virtual environment and facilitating user interaction (using the inter-cluster service that acts as a proxy between services in different clusters, see col.11 line 20 to col.12 line 54);

Defining a user proxy for a user, the user proxy having updatable variables and displaying the user proxy within the abstract graphical display of the social proxy and updating user proxy variables periodically (keeping the contact list updated in the database, see fig.22, col.27 line 36 to col.28 line 64).

Gudjonsson does not specifically disclose the display of proxy is a geometric shape. However, Scott in the same proxy network environment discloses display of proxy is a geometric shape (in fig.2, displaying an opened document containing a proxy 200 which is represented by a geometrical figure, see Scott's col.4 lines 10-59). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to

implement Scott's teachings into the computer system of Gudjonsson to process data information because it would have integrated external document management functions simultaneously and seamlessly into standard operating system document processing commands over the computer network.

As to claims 12 and 13, Gudjonsson discloses the social proxy (using a generic proxy to provide different services from various providers) is defined by a provider, a proxy for a provider and displaying the provider within the social proxy (see fig.13, col.17 line 18 to col.18 line 62).

As to claims 14 and 15, Gudjonsson discloses that the provider is the user and displaying a link to a second social proxy (55 fig.13) (see fig.13, col.17 line 18 to col.18 line 62 and col.22 lines 3-64).

As to claims 16 and 17, Gudjonsson discloses that the social proxy is one of a plurality of social proxies within a hierarchical system of proxies and used interactively by the user with an application, the application is an extension of the social proxy (see fig.13, col.17 line 18 to col.18 line 62 and col.22 lines 3-64).

As to claim 18, Gudjonsson discloses displaying a portion of the abstract graphical display of the social proxy based on a user's access credentials (processing

authentication request for users) (see figs.2, 3, col.27 line 36 to col.28 line 63 and col.34 lines 8-55).

Response to Arguments

6. Applicant's arguments filed on 6/14/2004 have been fully considered but they are not persuasive.

- Applicant asserts that the cited reference does not disclose displaying a user representation within the abstract graphical display incorporating the user data to the user.

Examiner respectfully disagrees. Examiner point out that Gudjonsson discloses the Applicant's claimed invention by mapping and displaying a list local users with user IDs to a user server. Gudjonsson further discloses maintaining a set of user status changes for a given set of users and forwarding the status changes to the clients for keeping track routing for these users (see fig.11, col.9 lines 8-67, col.15 line 13 to col.16 line 67 and col.17 lines 1-47).

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- Applicant asserts that the cited reference does not disclose comprising an abstract graphical of a first parameter of the user data, wherein the abstract graphical cue moves through the graphical environment according to a second parameter of the user data to provide a second abstract graphical cue.

Examiner points out that Gudjonsson discloses the Applicant's claimed invention by disclosing an abstract graphical cue (external user 7 fig.1 's in cluster 1) of a first parameter of the user data (arbitrary set of data related to the user), wherein the abstract graphical cue moves through the graphical environment according to a second parameter of the user (connecting to another user 7 of other cluster 1 of fig.1) data to provide a second abstract graphical cue (see abstract, figs.1, 2, col.9 lines 8-61 and col.10 lines 7-46) as rejected above.

- Applicant asserts that the cited reference does not disclose displaying of proxy is a geometric shape.

Scott in the same proxy network environment discloses display of proxy is a geometric shape (in fig.2, displaying an opened document containing a proxy 200 which is represented by a geometrical figure, see Scott's col.4 lines 10-59) as rejected above.

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 11 and 19. Claims 3-10, 12-18 and 20 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action. Accordingly, claims 1-20 are respectfully rejected.

Conclusion

7. Claims 1-20 are rejected.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-8867. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.


ZARNI MAUNG
PRIMARY EXAMINER